

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Billy D. Williams

Cr.: 97-00060-001

Name of Sentencing Judicial Officer: John W. Bissell, U.S. District Judge

Date of Original Sentence: 06/16/97

Original Offense: Count 1: Armed Bank Robbery; Count 2: Use of a Firearm During and in Relation to a Crime of Violence

Original Sentence: 90 months imprisonment; 5 years supervised release; Restitution: \$9,197; Special Assessment: \$200. Special Conditions: drug testing/treatment and financial disclosure.

Type of Supervision: Supervised Release

Date Supervision Commenced: 03/01/03

Assistant U.S. Attorney: Grady O'Malley, AUSA

Defense Attorney: Craig O'Connor, Esq.
20 Park Pl., Morristown, NJ 07960

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>The offender has violated the supervision condition which states 'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'</p> <p>Since the commencement of supervised release on March 1, 2003, Williams submitted sixteen positive specimens (two for the presence of cocaine and the remainder for THC). He signed Admission of Drug Usage forms and results were confirmed by Scientific Testing Laboratories. In addition, on April 7, 2005, he submitted a urinalysis that was not consistent with human urine. The Probation Office implemented numerous preventative measures to address drug abuse, including: increased urinalysis testing and office reporting, Narcotics Anonymous, code-a-phone urine testing, in-house evaluation/assessment, and intensive out-patient treatment. He failed to comply with any of the aforementioned directives and was admitted into out-patient treatment at Saint Clare's Hospital in February 2007. While enrolled in the program, Williams has missed numerous sessions without approval and submitted six positive specimens. He has been warned repeatedly by his clinician and the Probation Office to adhere to the treatment plan.</p>

- 2 The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of any change of residence or employment.**'

The offender failed to report a change in residence to the Probation Office within the allotted time period.

- 3 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

The offender failed to report to the Probation Office as directed on December 15, 2006. In addition, Williams failed to submit monthly written reports for January 2007, February 2007, and March 2007 within the allotted time period.

- 4 The offender has violated the supervision condition which states '**As a condition of supervision, you are instructed to pay restitution in the amount of \$9,197.00 to Fidelity Garden Bank, 901 SW Topeka Boulevard, Topeka, Kansas; it shall be paid in the following manner: equal monthly installments determined by the Probation Office.**'

Despite a positive monthly cash flow, the offender last made a payment towards his restitution obligation on June 30, 2003. The outstanding principle balance is \$7,349.02 (not including interest accrued).

- 5 The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

On May 11, 2005, in Randolph, New Jersey, Williams received a summons for operating a motor vehicle while suspended or revoked. He failed to report this to the Probation Office.

I declare under penalty of perjury that the foregoing is true and correct.

By: Joseph Empirio *J. Empirio*
U.S. Probation Officer
Date: 04/26/07

W
THE COURT ORDERS:

- ☐ The Issuance of a Warrant
☒ The Issuance of a Summons. Date of Hearing: 6/25/07 at 10:30 am
☐ No Action
☐ Other

[Signature]
Signature of Judicial Officer

5-29-07
Date